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Docket No.: L7350.0010
(PATENT)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of: Tomohiko Ohta

Confirmation No.: 1070

Application No.: 10/588,124

Art Unit: N/A

Filed: August 1, 2006

Examiner: Not Yet Assigned

For: CARCINOSTATIC METHOD USING
BRCA1-BARD1 PATHWAY

New York, NY
June 1, 2007

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

MS Sequence

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notification of Defective Response ("Notification"), dated May 7, 2007, enclosing a "Raw Sequence Listing Error Report" ("Report").

The Notification states that the previous "Sequence Listing" in computer readable form did not comply with the requirements of Section 1.824 for the reason indicated in the Report. In particular, the Report notes that the description "primer" under "<223> Other Information:" for SEQ ID NO:3 is erroneous because SEQ ID NO:3 is an amino acid sequence.

In response, submitted herewith is a substitute Sequence Listing, in paper form and computer readable form (a floppy disk), that corrects the defect noted in the Report by replacing the term "primer" with "Synthetic peptide" under <223> for SEQ ID NO:3. Support for the amendment can be found in the last line at page 10 through the first line at

page 11 of the present specification. No new matter has been added to the substitute Sequence Listing.

Attached hereto is a Submission of Substitute Sequence Listing and Statement Under 37 C.F.R. §§ 1.821-1.825. Also attached is a copy of the Notification.

Applicants respectfully request the above-referenced patent application be placed upon the files for examination.

No fee is believed to be due for this submission. Should there be any deficiency in fees, please charge such fee(s) to Deposit Account No. 50-2215.

Dated: June 1, 2007

Respectfully submitted,

By 

Izumi Yokoyama, Ph.D.

Registration No.: 60,351

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

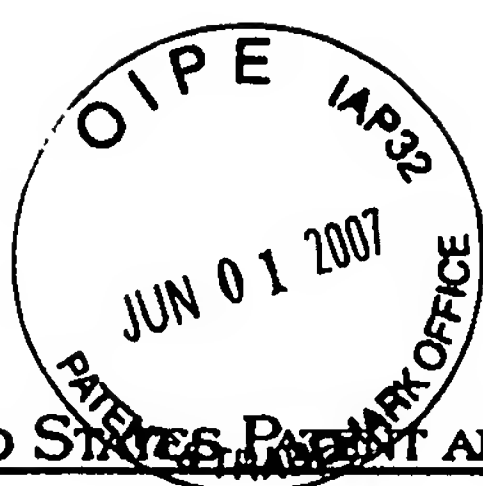
41st Floor

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant

Attachment: "Submission of Substitute Sequence Listing and Statement under 37 C.F.R. §§ 1.821-1.825"; and
a copy of the Notification of Defective Response.



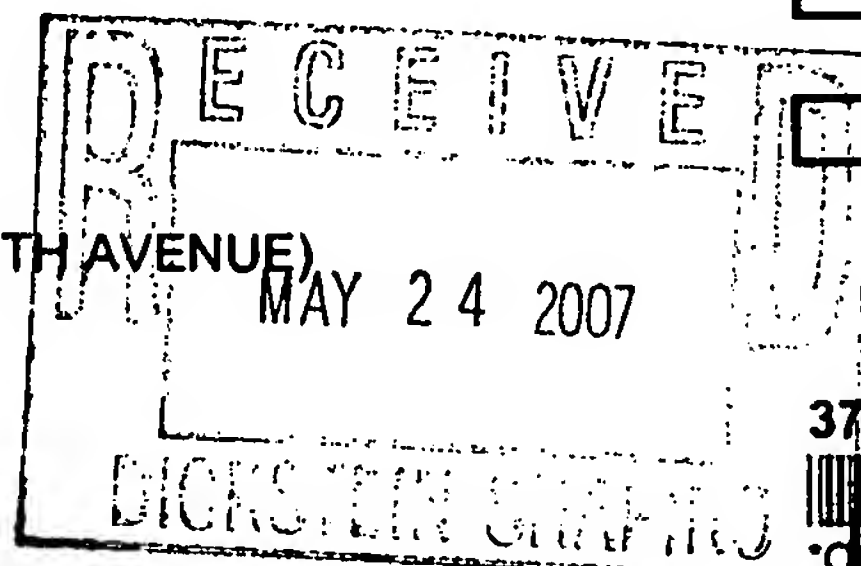
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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/588,124 | Tomohiko Ohta | L7350.0010 |

32172
 DICKSTEIN SHAPIRO LLP
 1177 AVENUE OF THE AMERICAS (6TH AVENUE)
 NEW YORK, NY 10036-2714



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|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/JP05/01870 | |
| I.A. FILING DATE | PRIORITY DATE |
| 02/02/2005 | 02/02/2004 |

CONFIRMATION NO. 1070

371 FORMALITIES LETTER



C000000023701132

Date Mailed: 05/07/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 08/01/2006
- English Translation of the IA filed on 08/01/2006
- Copy of the International Search Report filed on 08/01/2006
- Preliminary Amendments filed on 08/01/2006
- Information Disclosure Statements filed on 08/01/2006
- Oath or Declaration filed on 11/17/2006
- Biochemical Sequence Listing filed on 11/17/2006
- U.S. Basic National Fees filed on 08/01/2006
- Priority Documents filed on 08/01/2006

DSMO FILE NO. L 7350.0010DUE: June 7, 2007

C/L: _____

ENTERED BY: A.SATTY: CEM / 14

Applicant's response filed 11/17/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 10/26/2006 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR

1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 2 - OFFICE COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/588,124 | PCT/JP05/01870 | L7350.0010 |